



The Task Force on Court Facilities
455 Golden Gate Avenue, San Francisco, CA 94102-3660

Meeting Report

June 16, 1999

Hyatt San Jose Airport, San Jose, CA

ATTENDEES: TASK FORCE MEMBERS: PRESENT: Hon. Daniel J. Kremer, Chair Mr. Greg Abel Mr. Wylie Aitken Mr. Hector De La Torre Sheriff Robert T. Doyle Mr. David Janssen Mr. Fred Klass Hon. Michael Nail Hon. Wayne Peterson Mr. Anthony Tyrrell Hon. Diane Elan Wick ABSENT: Hon. Joan B. Bechtel Ms. Yvonne Campos Mr. John Clarke Mr. Mike Courtney Hon. Jerry Eaves Hon. Gary Freeman Hon. Charles V. Smith	PRESENTERS: Mr. Simon Park, Daniel, Mann, Johnson & Medenhall Mr. Dan Smith, Daniel C. Smith & Associates/Vitetta Group CONSULTANTS TO THE TASK FORCE: Mr. Simon Park, Daniel, Mann, Johnson & Mendenhall Ms. Kathleen Halaszynski, Daniel, Mann, Johnson & Mendenhall Mr. Dan Smith, Daniel C. Smith & Associates/Vitetta Group Mr. Tim Fedorchak, Daniel C. Smith & Associates/Vitetta Group GUESTS: Mr. Art Gomez, San Bernardino County Mr. John Van Whervin, Los Angeles Superior Court Mr. Rubin Lopez, CSAC Mr. John A. Miller, San Diego County Mr. Nick Marinovich, San Diego County TASK FORCE STAFF: Mr. Robert Lloyd, Project Coordinator / Senior Facilities Planner Mr. Bruce Newman, Facilities Planner Ms. Pat Bonderud, Facilities Planner Ms. Veronica Gomez, Staff Analyst
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I. INTRODUCTION AND WELCOME – Justice Daniel Kremer

- 1) Justice Kremer opened the Task Force meeting at 10:00 AM. He noted that the main topics for the meeting were:
 - a) Review and approval of the contents of Section IX- Mediation/ADR Facilities, Section XII – Court Security Operations and Section XIII – Incustody Defendant Holding,
 - b) Report progress of the editing committee and propose a revised schedule for completing the “preliminary determination of acceptable standards,”
 - c) Review and approve a revised schedule for the Phase 4 the “pilot” survey of court facilities.

II. EDITING COMMITTEE PROGRESS REPORT – Mr. Greg Abel

- 1) Mr. Abel stated that committee the committee was only able to complete editing about half of the draft guidelines during two, full day editing sessions. He noted that the committee, following the Task Force’s charge, avoided changing the content or meaning of the guidelines from that

approved in earlier Task Force meetings whenever possible. However, the committee did delete or revise some minor items to improve clarity and avoid redundancy. These minor revisions affected less than 2% of the guidelines content.

- a) Sections I through IV were reviewed during the the first day of the editing session, including merging section VI – Court Reporter Area which with Section IV – Judicial Offices and Support Space.
 - b) On the second day, the editing committee merged Section VII – Court Clerk and Section VIII – Court Administration into a single section. In addition, the committee debated the merits of delaying submission of the Task Force’s interim report “of acceptable court facility standards.” The editing committee felt that a well-written report would not be ready to release by the July 1, 1999 deadline. They unanimously agreed to recommend that the Task Force delay submitting the report. They also recommended that the Appellate Court Guidelines be published as a separate volume and submitted subsequent to the submission of the Trial Court Guidelines. The Technology Working Group’s report was also recommended for publication as an appendix submitted subsequent to the Trial Court Guidelines.
- 2) The editing committee has scheduled meetings for June 28 & 29 for completing its work. During that session, the committee will review Mr. Fedorchak’s redraft of the sections reviewed in the earlier editing meeting and edit the remainder of the sections. Potential problems the committee must resolve are coordinating the content of the security section with the Security Working Group, checking rewrites for consistency, reconciling all of the numbers, and moving appellate court on and technical items to new volumes.
 - 3) Mr. Abel stressed that the Task Force needs to give good direction to the consultants so that its intent is clear.

III. REVISED INTERIM REPORT SCHEDULE – Justice Kremer

- 1) Justice Kremer presented the Editing Committees proposed schedule revisions for completing the the Trial Court Facility Guidelines, Appellate Court Facility Guidelines and Technology Guidelines Appendix. The revised schedule calls for submitting the Trial Court Guidelines to the Governor, Legislature, and Judicial Council by October 1, 1999 and submitting the Appellate Court and Technology Guidelines by January 1, 2000. Public review and comment will occur after submission of these reports.
- 2) Mr. Janssen suggested that the Task Force send a letter to the Governor, Legislature and the Judicial Council explaining the delay.
- 3) A motion was made to approve the revised schedule and authorize Justice Kremer to send a letter to the Governor, Legislature, and Judicial Council explaining the change. The motion was seconded and approved unanimously.

IV. PILOT SURVEY SCHEDULE – Mr. Simon Park

- 1) Mr. Park presented the consultant’s recommendation of facilities to include in the “pilot” field evaluation of courthouses. DMJM recommends:
 - a) Calaveras County - All court facilities
 - b) Yolo County - All court facilities
 - c) San Mateo County – All court facilities
 - d) Riverside County – Hall of Justice, Family Court, and County Courthouse
 - e) Los Angeles County – Southeast Municipal (Huntington Park and South Gate courthouses)
- 2) County capital development plans will be completed for Calaveras (small county), Yolo (medium county) and San Mateo (large county).
- 3) Mr. Aitken asked why very large court facilities were excluded from the pilot survey. Mr. Park replied that the consultants are working with time and staff constraints and could not fully complete a very large facility as well as smaller facilities in time to present their findings to the Task Force at its September 1999 Meeting. He noted that the purpose of the “pilot” was to test the consultant team’s Phase 4 process and procedures prior to requesting the Task Force’s approval. He also stated that the consultant team believed that evaluating a very large facility is not necessary for testing the procedures. Mr. Park noted that the consultants will evaluate fairly large facilities in San Mateo and Riverside Counties as part of the “pilot.”

- 4) Mr. Lloyd noted that selecting facilities for the pilot was difficult because there are competing goals: evaluate courts that the Task Force previously visited, complete small, medium and large county capital plans, keep the number of facilities visited small, etc. The consultants balance these goals to come up with the proposed "pilot" facilities.
- 5) Evaluating a very large facility immediately after the pilot and prior to the December Task Force meeting was proposed as an alternative to including one in the pilot.
 - a) Mr. Janssen suggested San Diego County since there is broad support for replacing their main court facility.
 - b) Justice Kremer suggested evaluating the Orange County Courthouse since Orange County is the site of the December meeting. This would allow the Task Force to see the facility and compare it to the consultants recommendations.
- 6) A motion was made, seconded and approved to accept the revised pilot schedule and direct the consultants to recommend at the August 1999 Task Force meeting a court facility in the "very large" category for evaluating in the fall.

V. PUBLIC COMMENT PERIOD

- 1) There were no public comment requests submitted to the Task Force at this session.

VI. PHASE 2: STANDARDS DEVELOPMENT – Mr. Dan Smith

- 1) Section IX – Mediation and Other Alternative Dispute Resolution (ADR) Services
 - a) It was noted that Family Court Services, settlement, mediation and arbitration programs vary from court to court. This section attempts to address all of the alternatives in one section.
 - b) Mr. Abel noted that settlement conferences are more common in the courthouse than arbitration. Arbitration is most likely done outside of the courts. Judges Peterson and Wick agreed. Mr. Smith stated that arbitration and mediation are commonly done in courthouses outside of California.
 - c) Mr. Abel suggested that Family Court Services may need to be segregated since it is a statutory function.
 - d) Judge Wick thought that the beginning of the section is unclear.
 - e) Justice Kremer pointed out that the Task Force needs to look at these sections from a facilities point of view – do any of these functions required dedicated space or can they utilized other court spaces?
 - f) Judge Peterson noted that at the San Diego County courthouse, the conference room adjacent to the case management department can be used for ADR.
 - g) Mr. Abel noted that at the Sonoma County courthouse there are 2 rooms for settlement conferences scheduled by a judicial assistant.
 - h) Mr. Aitken suggested that Family Court Services be separated from ADR, and that settlement conferences (both voluntary and mandatory) be included in the discussion of ADR. He also question if ADR typically done outside of the courthouse should be included in the guidelines. The Task Force felt that ADR typically done outside of the courthouse should be de-emphasized.
 - i) Specific comments and suggestions include:
 - (1) Item 1.c) – Mediation Room: Eliminate discussion of a separate children's waiting area for children in abuse cases.
 - (2) Item 1.d) – Orientation Room: Judge Nail commented that the Solano County courthouse's orientation averages 15-20 people. They use the jury assembly room for orientation because they have no other space large enough to accommodate a group of this size. Mr. Smith suggested inserting a comment on court culture and procedures that may require a larger orientation space.
 - (3) Item 1.e): Change "should" to "may."
 - (4) Item 1.f): Delete the "Equipment Storage and Observation Area."
 - (5) Item 1h - Judge Peterson questioned whether Family Court Services should have a dedicated training room or if their should be a central training area that could be used by different departments (flexible, multi-use spaces). Mr. Janssen noted that if Family Court Services is a stand alone facility then it would need its own training room. If, however, it is part of a larger facility a shared training room would be better. Judge

Wick stated that in larger facilities it would be more economical to share training rooms. Justice Kremer suggested that a "training room" be included in Section XIV – Building Support Services.

- j) Judge Wick made a motion to approve the contents of Section IX, as amended above. Sheriff Doyle seconded the motion. The motion was approved unanimously.
- 2) Section XII - Court Security Operations
 - a) Mr. Dan Smith stated that this section includes discussion of all possible security spaces and facility elements that may be in a courthouse and that the section is not intended to mandate that all be included. It is designed as a checklist. He also noted that no specific reference is made to "sheriffs", "marshals", nor any other organization responsible for court security. The facilities discussed in this section are generic to any court security operation. He pointed out that both active and passive measures are addressed.
 - b) Justice Kremer noted that the Security Working Group is developing a matrix showing different levels of security for different types of courthouses.
 - c) Specific comments and suggestions include.
 - (1) Sheriff Doyle noted that gun lockers are included. Mr. Smith added that gun lockers are needed for officers coming into the courthouse, in-house security staff and incustody transport officers.
 - (2) Justice Kremer stated that the queuing formula at the screening stations is too detailed and may better be placed in an appendix. Additionally, he suggested one screening station per 1- 10 courtrooms.
 - (3) Item 1.c) – Security Operations: Verify the 30% of total staff ratio for planning the number of female locker and shower facilities.
 - (4) Item 1(d)– High security courtrooms: Change to "supplementary security screening stations ...**may be** located..."; replace "shall" with "may" in two locations.
 - (5) Subsection 2 – security staff posts on each floor. Mr. Janssen questioned the need for these posts. Mr. Abel suggested that this be changed to security presence. Mr. Lloyd proposed that if these positions are roving, then eliminate the mention of these posts since no space is needed.
 - (6) It was suggested to relocate paragraph 2, page XII-10 to high security courtroom section.
 - d) Justice Kremer felt that the discussion in this section is often too detailed and proposed that the section be edited to provide a list of optional elements that are briefly summarized. Mr. Aitken added that the tone of this section makes it seem like that the facility is a fortress.

Motion to approve????

- 3) Section XIII - Incustody Defendant Receiving, Holding and Transportation
 - a) It was suggested that elements originating from Board of Corrections' standards, California Code of Regulations, Titles 15 and 24 be identified.
 - b) Item 1.(e): Add "...**may** be a need.."; control center size varies from 100-250 square feet.
 - c) Item 1.(f): Replace "frail special care defendants (e.g. developmentally disabled)" with "defendants with special needs"
 - d) Item 1.(g): Replace "kitchenette/lunch storage" with "food service"; check requirements for long term holding
 - e) Item 1.(j): Replace "should be provided" with "may be provided" or "considered"; eliminate the square footage specification
 - f) Item 1.(l): It was suggested that this subsection be rephrased to have a combined holding cell/attorney visiting booth
 - g) Item 1.(m): It was noted that this is a part-time function and could be part of court security administration. It was suggested that the adjacency reference be eliminated and note that it not to be considered a jail replacement. ?????
 - h) Item 1.(n): Note that this area may be included if this function is not covered by the clerical office.????
 - i) Sheriff Doyle made a motion to approve the contents of Section XIII, as amended above. Judge Peterson seconded the motion. The motion was approved unanimously.

VII.ADDITIONAL TASK FORCE MEETING

- 1) An additional one day was scheduled for August 4, 1999 in Oakland or Los Angeles near the airport. Judge Peterson and Mr. De La Torre will not be attending.

VIII. ADJOURNMENT

- 1) Meeting was adjourned at 2:30 PM.